

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

TERRY TYRONE PULLEN, JR.,

Plaintiff,

v.

Case No. 2:14-cv-104

CHIEF JUDGE EDMUND A. SARGUS, JR.

Magistrate Judge Elizabeth Preston Deavers

C/O LISA HOWARD, *et al.*,

Defendants.

ORDER

Plaintiff, Terry Tyrone Pullen, Jr., an Ohio inmate who is proceeding without the assistance of counsel, brings this civil rights action under 42 U.S.C. § 1983 against Defendants, employees and former employees of the Ohio Department of Rehabilitation and Correction (“ODRC”), alleging that he was subjected to excessive force in violation of the Eighth Amendment. This matter is before the Court for consideration of the December 17, 2015 Report and Recommendation of the United States Magistrate Judge. (ECF No. 64.)

In the Report and Recommendation, the Magistrate Judge recommends denial of Plaintiff’s Motion for Leave to File Supplemental Complaint based upon her conclusion that the proposed amendment is futile. The Report and Recommendation specifically advises Plaintiff that the failure to object to the Report and Recommendation within fourteen days of the Report results in a “waiver of the right to de novo review . . . by the District Judge and waiver of the right to appeal the judgment of the District Court.” (Report and Recommendation 4, ECF No. 64.) The time period for filing objections to the Report and Recommendation has expired. Plaintiff has not objected to the Report and Recommendation.

The Court has reviewed the Report and Recommendation. Noting that no objections have been filed and that the time for filing such objections has expired, the Report and Recommendation (ECF No. 64) is **ADOPTED**, and Motion for Plaintiff's Leave to File Supplemental Complaint (ECF No. 44) is **DENIED**.

IT IS SO ORDERED.

3-14-2016

DATE



EDMUND A. SARGUS, JR.
CHIEF UNITED STATES DISTRICT JUDGE